

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:19-CR-0032-DGK-01
)	
STANFORD C. GRISWOLD,)	
)	
Defendant.)	

**ORDER ADOPTING THE MAGISTRATE’S REPORT AND RECOMMENDATION
AND DENYING DEFENDANT’S MOTIONS TO SUPPRESS**

Now before the Court are Defendant’s various *pro se* motions to suppress, ECF Nos. 84, 93, 100, 106; Magistrate Judge W. Brian Gaddy’s Report and Recommendation recommending the motions be denied, ECF No. 120; and Defendant’s Objections to the report, ECF No. 123.

After reviewing the report and conducting an independent review of the applicable law and record, *see* L.R. 74.1(a)(2), the Court agrees with the Magistrate’s holding that the motions should be denied as untimely filed.

Even if the Court considered the motions on the merits, it would reach the same result. The police officers arriving on the scene where Defendant apparently passed out in his car had a reasonable, articulable suspicion that Defendant had committed or was about to commit the crime of driving under the influence. The subsequent search of the vehicle was a lawful search incident to a lawful arrest and an inventory search, or alternately, a lawful search under the automobile exception. Defendant’s statements made during his custodial interrogation did not violate *Miranda* because he made a knowing, intelligent, and voluntary waiver of those rights. The videotape of the interview does not suggest Defendant was under the influence of PCP at the time, or that

Defendant's will was otherwise overborne. Finally, the arguments raised in Defendant's motion to dismiss the charges against him are without merit.

The Court ADOPTS the Report and Recommendation and DENIES Defendant's motions.

IT IS SO ORDERED.

Date: September 19, 2022

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT